

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Podhajcer et al.

Appl. No. 09/340,595

Filed: June 28, 1999

For: **Compositions and Methods for  
Tumour Therapy**

Confirmation No. 4148

Art Unit: 1635

Examiner: Schmidt, Mary M.

Atty. Docket: 1581.0300002/RWE/B-C

**Second Supplemental Information Disclosure Statement under 37  
C.F.R. § 1.97(c)**Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed on June 26, 2001, in connection with the above-captioned application. A copy of each document is also provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language document AT12 cited on Form PTO 1449:

Document **AT12**, Ledda *et al.*, is in the Spanish language. An English language translation of the document AT12 is attached as document **AR13**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates

should not be construed as an admission that the information was actually published on the date indicated.

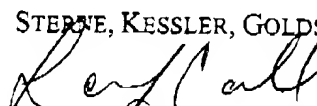
Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STEPNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
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Date: February 3, 2003

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<p>FORM PTO-1449</p> <p>SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</p>	<p>ATTY. DOCKET NO.</p> <p>1581.03000C2/RWE/R-C</p>	<p>APPLICATION NO.</p> <p>09/340,595</p>
	<p>APPLICANT</p> <p>Podhajzer et al.</p>	
	<p>FILING DATE</p> <p>June 28, 1999</p>	<p>GROUP</p> <p>1635</p>

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
							Yes
							No
	AL						Yes
							No
	AM						Yes
							No
	AN						Yes
							No
	AO						Yes
							No
	AP						Yes
							No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS		
	AT	12	Ledda, M.F., et al., "La expresión del c-DNA antientido del gen SPARC anula la capacidad tumorigénica de células de melanoma humano," <i>Medicina</i> 55:565-566, Abstract No. 267, Sociedad Argentina De Investigación Clínica (December 1995)

EXAMINER	DATE CONSIDERED
<p>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.</p>	

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APPLICANT Podhajcer et al.				FILING DATE June 28, 1999		GROUP 1635	

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	AA						
	AB						
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	AK						

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR	13	English language translation for Ledda, M.F., et al., "The Expression of the antisense c-DNA of the SPARC gene annuls the tumorigenic capacity of human melanoma cells," (December 1995)
	AS		
	AT		

EXAMINER	DATE CONSIDERED
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